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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Mitchell Jenkins,

Defendant.

2:24-cv-00346-JCM-EJY

**Stipulation to Extend Time to File the
United States' Answering Brief**

(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Skyler H. Pearson, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Joy Chen, Assistant Federal Public Defender, counsel for Mitchell Jenkins, request that the due date for the United States' answering brief be extended thirty (30) days, until **August 12, 2024**.¹

This stipulation is entered into for the following reasons:

1. The United States is requesting the transcripts in this matter.
2. This case involves an appeal from a bench trial in which Mr. Jenkins was convicted of one count of resisting arrest, a violation of 43 C.F.R. § 8365.1-4(a)(4).

¹ August 12, 2024, is the first weekday thirty days from the current deadline of July 12, 2024.

1 3. The parties disagreed about the proper interpretation of the regulation, for which
2 there is little governing caselaw, and the sufficiency of the evidence presented at trial.

3 4. Given the relative complexity of the appeal, and that the undersigned recently joined
4 the criminal division and was recently assigned this matter, the parties agree that additional time
5 is warranted to allow for review of the record, research of the issues, and preparation of the
6 answering brief.

7 5. The defendant is out of custody and does not oppose the continuance.

8 This is the first request to extend this deadline.

9 Respectfully submitted this 2nd day of July 2024.

10
11 /s/ Skyler H. Pearson

12 Skyler H. Pearson, Esq.
13 Assistant United States Attorney

/s/ Joy Chen

 Joy Chen
 Assistant Federal Public Defender

14 IT IS SO ORDERED this 4th day of July, 2024

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18 ELAYNA J. YOUCHAK
19 UNITED STATES MAGISTRATE JUDGE
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